

Remarks

The foregoing amendments, and these remarks are submitted in response to the Office Action date July 21, 2004. A petition for a one month extension of time is submitted herewith.

Examiner has rejected claim 52 as failing to comply with 35 U.S.C. 112. Claim 52 has been amended by deleting the word "Brookfield". Support for the amendment may be found at page 32, lines 13-14.

Applicants note with appreciation Examiner's indication that claims 11, 22, 26, 37 and 41 are allowable.

Examiner has rejected claims 1, 2, 4 and 5 as anticipated by Enns et al (US 5,779,943). Enns discloses a process for using latent-hydrophilic *monomers* to make molded object with wettable surfaces. Enns states:

"The advantage of this invention over prior art is that the application of the *monomer* to the mold surface in a hydrophobic, latent-hydrophilic form allows it to easily form a uniform thin film on a relatively hydrophobic mold surface. Since the molds used to make contact lenses are generally made from relatively hydrophobic polymers, such as polystyrene or polypropylene, it is very difficult to form a smooth, continuous, thin film of a *hydrophilic monomer* such as HEMA to the mold surface, because such *hydrophilic monomers* tend to bead up or retract from the mold surface. The application of hydrophobic monomer such as methyl methacrylate or lauryl methacrylate will allow a thin film to be formed." (Emphasis added). Column 4, lines 18-28.

Unlike Enns, claim 1 recites "coating a molding surface of a mold or a mold half with a coating effective amount of a *high molecular weight coating composition*." Enns neither discloses nor suggests that the coating composition should be high molecular weight. Claim 1 also recites that the presently claimed method uses "a dwell time of less than about 5 minutes". Enns is silent as to dwell time. Claims 2, 4 and 5 all depend from claim 1. Applicants respectfully submit that claims 1, 2, 4 and 5 are novel in view of Enns.

Examiner has further rejected the claims under 35 U.S.C. 103 under the following grounds:

Claims 1-3, 6, 14-16 and 18 over Suzuki (US 6,486,262);

Claims 5, 7, 8, 14, 15, 23, 31, 32, 55-63, 67-75 and 79-87 over Suzuki in view of LeBoeuf et al (US 6,632,887);

Claims 9, 10, 24 and 25 over Suzuki in view of LeBoeuf and Bae et al. (US 5,667,735);

Claims 14, 15, 17, 21, 31, 36 and 38 over Enns in view of Suzuki;

Claims 19, 20, 34 and 35 over Enns in view of Ford et al. (US 6,551,531);

Claims 39 and 40 over Enns in view of Suzuki and Bae;

Claims 52-54 over Enns;

Claims 64-66 and 76-78 over Enns in view of Suzuki.

Suzuki discloses "a molding material for plastic lenses, comprising a hydrogenated product of an aromatic vinyl polymer." Column 3, lines 54-55. Plastic lenses may be made from the molding materials by known methods such as "injection molding, press molding, extrusion or the like" column 12, lines 20-21. When injection molding is used the molding conditions include a dwell time or of 1 to 300 seconds. However, it is clear from the text in column 12, that as used in Suzuki, dwell time refers to cure time ("If the dwell time is too long, decomposition, deterioration and the like occur, so that the strength properties of the resulting lens are deteriorated. If the dwell time is too short, molding shrinkage becomes high." Column 12, lines 38-41.

In the present application dwell time is defined as "the elapsed time from which the monomer mixture is dispensed into the mold until curing commences". The present application further discloses that dwell time "is critical because the coating composition is soluble in the hydrogel and silicone-containing hydrogel monomer mixtures." Page 16, lines 24-27. Accordingly, dwell time, as defined in the present invention refers not to cure time, but to the amount of time the coating composition and monomer mixture are in the mold prior to the start of curing. Suzuki is silent as to the dwell time as defined in the present application.

Finally, Suzuki neither discloses nor suggests an in mold coating process. Instead Suzuki discloses coating the formed plastic lenses. See column 12, lines 50-58.

Accordingly, neither Suzuki nor Enns disclose or suggest two of the critical elements recited in the present application, use of a high molecular weight coating composition and a dwell time of less than about five minutes. As shown by the table below, none of the remaining cited references cure these deficiencies.

As discussed above, Enns discloses neither the use of a high molecular weight coating composition or a specific dwell time. In fact, Enns actually teaches away from the current invention. Enns discloses using monomers in a "hydrophobic, latent-hydrophilic form" to adequately coat the mold surface". Once the lens is made, "the resulting relatively hydrophobic lens coating [is] converted under mild conditions into a relatively hydrophilic, wettable lens coating." Column 4, lines 35-37. There is absolutely nothing in Enns which

would suggest using high molecular weight polymers instead of hydrophobic, latent hydrophilic monomers, or that if one did use high molecular weight coating compositions a certain dwell time would be required.

None of the remaining references disclose or suggest the dwell times recited in the present claims. LeBoeuf discloses coating a preformed rod of optic material with a coating material. Coating a preformed rod is an entirely different process, without a dwell time. Moreover, the hydrophilic polymer in the LeBoeuf coating preferably has molecular weight great enough to disperse light and prevent leaching from the coating. Column 3, lines 16-23. LeBoeuf is silent as to the molecular weight necessary "to avoid dissolution of the coating into the monomer mixture used." Page 3, lines 15-16.

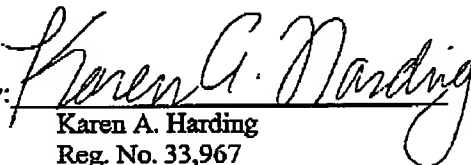
Bae also fails to disclose or suggest the dwell times recited in the present claims.

Ford discloses a method for forming a lens using molds having different surface energies. No coating compositions or conditions are disclosed or suggested.

From the foregoing it is clear that none of the references alone or in any combination disclose the dwell times recited in the claims. Each and every claim contains a recitation to a dwell time of either less than about 5 minutes (claims 1, 14 and all claims dependent thereon) or less than about 45 seconds (claims 6, 7, 18 and 31 and all claims dependent upon claim 31).

Applicants respectfully submit that the foregoing amendments and arguments have traversed the Examiner's rejection. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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